

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 03-1961**

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NEWPORT NEWS SHIPBUILDING AND DRY DOCK  
COMPANY,

Petitioner,

versus

ELEANOR SEELY, Widow of Luther Seely;  
DIRECTOR, OFFICE OF WORKERS' COMPENSATION  
PROGRAMS, UNITED STATES DEPARTMENT OF LABOR,

Respondents.

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On Petition for Review of an Order of the Benefits Review Board.  
(02-724-BRB)

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Submitted: April 9, 2004

Decided: May 7, 2004

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Before LUTTIG, MOTZ, and TRAXLER, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Christopher R. Hedrick, MASON, MASON, WALKER & HEDRICK, P.C.,  
Newport News, Virginia, for Petitioner. Jennifer West Vincent,  
PATTEN, WORNOM, HATTEN & DIAMONSTEIN, L.C., Newport News, Virginia,  
for Respondent Seely.

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Unpublished opinions are not binding precedent in this circuit.  
See Local Rule 36(c).

PER CURIAM:

Newport News Shipbuilding and Dry Dock Company seeks review of the Benefits Review Board's decision and order affirming the administrative law judge's award of survivor's longshore benefits pursuant to 33 U.S.C. §§ 901-45 (2000). Our review of the record discloses that the Board's decision is based upon substantial evidence and is without reversible error. Accordingly, we affirm on the reasoning of the Board. See Seely v. Newport News Shipbuilding & Dry Dock Co., No. 02-724-BRB (BRB June 30, 2003). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED